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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

K.A.,

Plaintiff,

v.

MINDGEEK S.A.R.L. a foreign entity;
MG FREESITES LTD, a foreign
entity; MINDGEEK USA
INCORPORATED, a Delaware
corporation; MG PREMIUM LTD, a
foreign entity; MG GLOBAL
ENTERTAINMENT INC., a Delaware
corporation; 9219-1568 QUEBEC,
INC., a foreign entity; BERND
BERGMAIR, a foreign individual;
FERAS ANTOON, a foreign
individual; DAVID TASSILLO, a
foreign individual; VISA INC., a
Delaware corporation; REDWOOD
CAPITAL MANAGEMENT, LLC, a
Delaware limited liability company;
REDWOOD DOE FUNDS 1-7;
COLBECK CAPITAL
MANAGEMENT, LLC, a Delaware
limited liability company; COLBECK
DOE FUNDS 1-3,

Defendants.

CASE NO. 2:24-cv-04786

**PLAINTIFF'S NOTICE OF
PENDENCY OF OTHER
ACTIONS OR PROCEEDINGS**

1 Plaintiff K.A. hereby files this Notice of Pendency of Other Actions or
2 Proceedings under Central District of California Local Rule 83-1.4.

3 1. This case involves substantially the same subject matter as an action
4 pending in the United States District Court for the Northern District of Alabama
5 Western Division brought by Plaintiff Jane Doe #1, on behalf of herself and all
6 others similarly situated. This action is captioned *Jane Doe #1 et al. v. MG*
7 *Freesites LTD et al.*, Civil Action No. 7:21-cv-00220-LSC, filed February 11,
8 2021 and as amended on July 23, 2021 (“Alabama Class Action”).

9 2. Plaintiffs in the Alabama Class Action are represented by the
10 following counsel:

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4 3. The Alabama Class Action is seeking damages and injunctive relief
5 against defendants – (i) MG Freesites, Ltd., d/b/a “Pornhub”, a foreign entity, (ii)
6 MG Freesites II Ltd., a foreign entity, (iii) MindGeek S.A.R.L., a foreign entity,
7 (iv) MindGeek USA, Incorporated, a Delaware corporation, (v) MG CY Holdings
8 Ltd., a foreign entity, (vi) MindGeek Content RT Limited, a foreign entity, (vii)
9 9219-1568 Quebec Inc. d/b/a MindGeek, a foreign entity, and (viii) MG Billing
10 Ltd., a foreign entity – based on allegations that defendants violated the TVPRA,
11 specifically 18 U.S.C. §§ 1591 and 1595, among other laws, by financially
12 benefiting from, or otherwise participating in, a sex trafficking venture in which
13 plaintiffs and members of the class were victims. Further, plaintiffs allege that the
14 defendants violated 18 U.S.C. §§ 2252 and 2252A by knowingly receiving,
15 possessing, and distributing child pornography. On December 19, 2023, the Court
16 certified the following class under Federal Rules of Civil Procedure 23(b)(2) and
17 23(b)(3): “All persons who were under the age of 18 when they appeared in a
18 video or image that has been made available for viewing on any website owned or
19 operated by Defendants anytime from February 12, 2011, through the present.”
20 (Dkt. 147., Memorandum of Opinion and Order Granting Plaintiff’s Motion for
21 Class Certification, *Jane Doe #1 et al. v. MG Freesites LTD et al.*, Civil Action
22 No. 7:21-cv-00220-LSC (N.D. Ala. 2021)).

23 4. This case involves substantially the same subject matter as an action
24 pending in the United States District Court for the Central District of California
25 Southern Division brought by Plaintiff Jane Doe on behalf of herself and all others
26 similarly situated. This action is captioned *Jane Doe v. MindGeek USA*
27 *Incorporated et al.*, Case No. 8:21-cv-00338-WLH-ADS, filed February 19, 2021
28 and as amended on May 5, 2023 (“California Class Action”).

1 5. Plaintiff in the California Class Action is represented by the following
2 counsel:

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4 Emily Kathleen Cronin

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14 6. The California Class Action is seeking damages and injunctive relief
15 against defendants – (i) MindGeek USA, Incorporated, a Delaware corporation; (ii)
16 MindGeek S.A.R.L., a foreign entity; (iii) MG Freesites, Ltd., d/b/a “Pornhub”, a
17 foreign entity; (iv) MG Freesites II Ltd., a foreign entity; (v) MindGeek Content
18 RT Limited, a foreign entity; and (vi) 9219-1568 Quebec Inc. d/b/a MindGeek, a
19 foreign entity – based on allegations that defendants violated the TVPRA,
20 specifically 18 U.S.C. §§ 1591 and 1595, among other laws, by financially
21 benefiting from, or otherwise participating in, a sex trafficking venture in which
22 plaintiff and members of the class were victims. Further, plaintiffs allege that the
23 defendants violated 18 U.S.C. §§ 2252A and 2255 by knowingly receiving,
24 possessing, and distributing child pornography. Plaintiff also asserts state statutory
25 and common law violations. On November 17, 2023, the Court granted Plaintiff’s
26 Motion for Class Certification and certified under both Federal Rules of Civil
27 Procedure 23(b)(2) and 23(b)(3) two classes. (Dkt. 209, Order Granting Plaintiff’s
28 Motion for Class Certification, *Jane Doe v. MindGeek USA Incorporated et al.*,

1 Case No. 8:21-cv-00338-WLH-ADS (C.D. Cal. 2021).) The Court first certified a
2 national class including “all persons who were under the age of 18 when they
3 appeared in a video or image that has been uploaded or otherwise made available
4 for viewing on any website owned or operated by Defendants in the last ten years.”
5 (Dkt. 107 at 44, ¶ 154.) The Court next certified a subclass of “all persons residing
6 in California who were under the age of 18 when they appeared in a video or
7 image that has been uploaded or otherwise made available for viewing on any
8 website owned or operated by Defendants in the last ten years.” (*Id.* at ¶ 155.)

9 7. This case involves substantially the same subject matter as an action
10 pending in the United States District Court for the Central District of California
11 brought by Plaintiff Serena Fleites. This action is captioned *Serena Fleites v.*
12 *MindGeek S.a.r.l. et al.*, Case No. 2:21-cv-4920, filed June 17, 2021 and as
13 amended on May 23, 2024 (“California Action”).

14 8. Plaintiff in the California Action is represented by the following
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9. Plaintiff in the California Action is seeking damages and injunctive relief against defendants – (i) MindGeek S.a.r.l., (ii) MG Freesites, Ltd. d/b/a Pornhub (“Pornhub”), (iii) MindGeek USA Incorporated (“MindGeek USA”), MG Premium Ltd., (iv) MG Global Entertainment, Inc., and (v) 9219-1568 Quebec, Inc. (collectively “MindGeek”); (vi) Bernd Bergmair, (vii) Feras Antoon, and (viii) David Tassillo (Bergmair, together with Antoon and Tassillo, the “Individual Defendants,” and together with MindGeek, the “MindGeek Defendants”); (ix) Visa Inc. (“Visa”); (x) Redwood Capital Management, LLC, (xi) Redwood Master Fund, LTD, (xii) Redwood Opportunity Master Fund, Ltd., (xiii) Manuel 2018, LLC, (xiv) Gingogerum, LLC, and (xv) White-Hathaway Opportunity Fund, LLC (collectively, “Redwood”); (xvi) Colbeck Capital Management, LLC, (xvii) CB Media Ventures LLC, (xviii) CB Agency Services, LLC, and (xix) CB Participations SPV, LLC (collectively “Colbeck”) (Colbeck, together with the MindGeek Defendants, Visa, and Redwood, “defendants”) – for sex trafficking and conspiracy to benefit from a trafficking venture in violation of 18 U.S.C. §§ 1591, 1594, and 1595, for receipt, transport, and possession of child pornography in violation of 18 U.S.C. §§ 2252, 2252A, and 2255, and state statutory and common law violations.

1 DATED: June 7, 2024

Respectfully submitted,

2 BROWN RUDNICK LLP

3
4 By: /s/ Michael J. Bowe

5 Michael J. Bowe

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